

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

RETAIL ACCESS OPTIMIZATION
INITIATIVE, 2011

DOCKET NO. N2011-1

DAVID B. POPKIN MOTION NUMBER 17

October 21, 2011

Respectfully submitted,

N20111MOTION17

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

On August 30, 2011, the National League of Postmasters filed Institutional Interrogatories NLP/USPS-1 through 31. Interrogatory NLP/USPS-1 is as follows:

LEAGUE/USPS-1: The testimony of Mr. Boldt, submitted by the Postal Service, refers to “earned workload” for Post Offices (see, e.g., page 3).

[a] Please provide the formula used to calculate earned hours.

[b] On what date(s) were the productivities determined for this formula?

[c] Has mail make-up changed since this productivity was determined?

[d] The letter and flat productivities within SOV seem to be higher are actually higher than MPLSM and FSM productivities which were used in the past. Does that mean that the Postal Service has set manual productivities higher than multiple position sorting machines in both flats and letters? Please explain how that is possible.

[e] The Postal Service has used the same formula to create the list of offices to be reviewed. Please provide the rolling 52 weeks of earned hours as well as total revenue for all A-E and Level 11 offices in Delaware and Maine.

On September 6, 2011, the Postal Service responded to subparts [a] through [d] of Interrogatory NLP/USPS-1 and stated in the cover sheet the following statement with respect to subpart [e] of that interrogatory:

The United States Postal Service hereby provides institutional responses to the above-listed interrogatories of the National League of Postmasters dated August 30, 2011. Each interrogatory is stated verbatim and followed by the response. Responses to NPL/USPS-1(e), 15, 16 and 27 are forthcoming.

On September 7, 2011, the Postal Service responded to subpart [e] of Interrogatory NLP/USPS-1 and stated in the cover sheet the following statement:

The United States Postal Service hereby provides revised institutional responses to the above-listed interrogatories. The transmittal page and the header on each page of the original responses filed yesterday contain a typographical error identifying the NLP as *NPL*. That error is corrected in the versions filed today. Furthermore, the response to subpart (e) of NLP/USPS-1 was not prepared in time for filing yesterday, but has since been prepared. Accordingly, it is included in the revised response to NLP/USPS-1 being filed today. Otherwise, there are no other changes in the above listed responses to NLP interrogatories. Each of these interrogatories is stated verbatim and followed by the revised response. Responses to NLP/USPS-1(e), 15, 16 and 27 are forthcoming.

The September 7, 2011, response to Interrogatory NLP/USPS-1 was as follows:

RESPONSE:

- a. See the attachment to this response.
- b. The date range was from 7/3/10 to 7/8/11.
- c. Mail make-up changes constantly. However, the short and long term swings long recognized in Commission regulatory matters are not understood as having any material impact the identity of offices selected for inclusion in the RAOI.
- d. The MPLSM which is no longer in service, processed mail at a maximum rate of 1 letter per second or 3,600 pieces per hour. The current FSM productivity factor is 2,365 pieces per hour. These are the first pieces of automation equipment brought in to process letters and flats. The productivity of these machines was less than that of actual manual processing of letters and flats. The benefit of having these machines was that a person cannot throw letter mail in to 300 bins or flat mail in to 100 bins. The benefit of these machines was in the down flow.
- e. See the attachment to this response.

The attachment for the response to subpart e was as follows [and has been attached to my motion as a PDF file:

Office	State	Zip	Level	Hours Per Day	FY 2010 WIR
BETHEL	DE	19931	11	2.4	41596
LITTLE CREEK	DE	19961	11	3.31	128203
PORT PENN	DE	19731	11	1.74	34292
AURORA	ME	04408	11	2.27	45541
BENEDICTA	ME	04733	11	1.71	10525
BIRCH HARBOR	ME	04613	11	1.96	18426
BROOKTON	ME	04413	11	1.47	10587
BROWNVILLE JUNCTION	ME	04415	11	1.81	28976
BURLINGTON	ME	04417	11	2.16	41031
CARATUNK	ME	04925	11	1.38	9215
CENTER LOVELL	ME	04016	11	2.59	47165
CHAMBERLAIN	ME	04541	11	1.57	22301
CLIFF ISLAND	ME	04019	11	1.17	27427
COREA	ME	04624	11	2.12	21163
CRANBERRY ISLES	ME	04625	11	2.55	37645
CROUSEVILLE	ME	04738	11	0.95	14614
CUTLER	ME	04626	11	2.16	21856
DANVILLE	ME	04223	11	1.11	8704
DRYDEN	ME	04225	11	1.5	30160
EAST DIXFIELD	ME	04227	11	1.8	32538
EAST NEWPORT	ME	04933	11	1.32	16610
EAST ORLAND	ME	04431	11	2.36	51521
EAST PARSONSFIELD	ME	04028	11	1.35	23023
EAST POLAND	ME	04230	11	1.22	18628
EAST VASSALBORO	ME	04935	11	1.31	22446
EAST WILTON	ME	04234	11	2.33	63927
EDDINGTON	ME	04428	11	2.18	66282
ETNA	ME	04434	11	1.49	31774
EUSTIS	ME	04936	11	2.53	49014
FARMINGTON FALLS	ME	04940	11	1.48	31390
GRAND ISLE	ME	04746	11	1.89	26744
HANOVER	ME	04237	11	2.21	32553
HINCKLEY	ME	04944	11	1.84	53416
ISLESFORD	ME	04646	11	1.71	63795
KINGMAN	ME	04451	11	1.38	12990
LINCOLNVILLE CENTER	ME	04850	11	2.2	59944
LITTLE DEER ISLE	ME	04650	11	2.38	67790
MATINICUS	ME	04851	11	1.16	20212
MEDDYBEMPS	ME	04657	11	1.74	22048
MONHEGAN	ME	04852	11	1.57	38763
NEWFIELD	ME	04056	11	2.89	24969
NORTH TURNER	ME	04266	11	2.12	45656
NORTH WATERFORD	ME	04267	11	1.29	25678

ORIENT	ME	04471	11	0.68	2966
PARIS	ME	04271	11	1.55	25167
PASSADUMKEAG	ME	04475	11	1.5	17297
PERHAM	ME	04766	11	1.68	18329
PORTER	ME	04068	11	1.6	35606
PROSPECT HARBOR	ME	04669	11	2.6	34600
ROBBINSTON	ME	04671	11	2.34	41504
ROXBURY	ME	04275	11	2.12	20067
SAINT DAVID	ME	04773	11	1.65	25630
SALSBURY COVE	ME	04672	11	2.05	53264
SEAL COVE	ME	04674	11	2.59	39866
SEBASCO ESTATES	ME	04565	11	1.64	20902
SHAWMUT	ME	04975	11	1.53	23626
SHERIDAN	ME	04775	11	0.75	1874
SINCLAIR	ME	04779	11	2.13	22592
SORRENTO	ME	04677	11	2.68	66494
STACYVILLE	ME	04777	11	2.68	28788
STOCKHOLM	ME	04783	11	2.17	27475
STONEHAM	ME	04231	11	1.64	20157
SUNSET	ME	04683	11	2.2	42229
TEMPLE	ME	04984	11	2.39	24699
TOPSFIELD	ME	04490	11	1.57	15951
TREVETT	ME	04571	11	1.86	24166
VANCEBORO	ME	04491	11	1.6	23352
VASSALBORO	ME	04989	11	2.42	25464
VIENNA	ME	04360	11	2.36	33702
WALPOLE	ME	04573	11	2.92	47882
WEST FORKS	ME	04985	11	1.98	18846
WEST MINOT	ME	04288	11	1.19	15250
WEST POLAND	ME	04291	11	1.64	31355
WESTFIELD	ME	04787	11	1.93	23002
WHITING	ME	04691	11	2.03	30827
WINN	ME	04495	11	1.79	19435
WYTOPITLOCK	ME	04497	11	2.3	39522
BOWDOIN	ME	04287	55	1.14	15541
EAST ANDOVER	ME	04226	55	1.5	9049
SANDY POINT	ME	04972	55	1.2	14861

Attachment to USPS response to NPL/USPS-1(e)

From the foregoing, it can be seen that the National League of Postmasters specifically asked for total revenue in their interrogatory and the Postal Service provided it in their response. It is also noted that the response to subpart [e] was not prepared in time for filing on September 6th and had the time to fully prepare it until 4:30 PM on the following day to finish the filing.

Following the Postal Service's September 7, 2011, response to Interrogatory NLP/USPS-1 subpart [e], I filed a follow-up Interrogatory DBP/USPS-72 on September 7, 2011, as follows:

DBP/USPS-72 Please refer to your response to Interrogatory NLP/USPS-1 subpart [e].

Please provide similar data for the other 48 states and the US possessions/territories..

Response to that Interrogatory was due seven days later or by September 14, 2011. Since no response had been received, I filed David B. Popkin Motion Number 15 on September 28, 2011, as follows:

On September 7, 2011, I filed Interrogatory DBP/USPS-72. A response was due seven days later on September 14, 2011. A response has yet to be filed even though it is now two weeks after the date on which it was due to be filed. I move to compel a response to this outstanding interrogatory.

On October 14, 2011, thirty-seven days after the Interrogatory was filed, the Postal Service made a filing indicating that it was filing two Library References in response to Interrogatory DBP/USPS-72 and the cover letter was as follows:

The Postal Service files the following Category 4 Library References below in this proceeding in response to interrogatory DBP/USPS-72:

USPS-LR-N2011-1/24 Earned Hours and Revenue Data for CAG A-E and Level 11 Offices Outside of Delaware and Maine

Requested in DBP/USPS-72

USPS-LR-N2011-1/NP20 Earned Hours and Revenue Data for CAG A-E and Level 11 Offices Outside of Delaware and Maine

Requested in DBP/USPS-72 [Non-Public]

The Postal Service has located facility-specific earned workhour and revenue data responsive to this interrogatory by reference to retail facility finance numbers. The Postal Service regards facility-specific revenue and finance numbers to be commercially-sensitive and proprietary information that should not be released into the public domain. Accordingly, it is providing the requested data in unredacted USPS

Library Reference N2011-1/NP20, as a non-public response to the interrogatory. Library Reference N2011-1/24 consists of a public version of that same document, but with the finance numbers and revenue data redacted. An application for non-public treatment of USPS Library Reference N2011-1/NP20 is attached to this Notice.

The actual response to the Interrogatory was not made until October 17, 2011, forty days after the original interrogatory was filed. The cover sheet was as follows:

**RESPONSE OF THE UNITED STATES POSTAL SERVICE
TO DAVID POPKIN INTERROGATORY DBP/USPS-72**

The United States Postal Service provides an institutional response to the abovelisted interrogatory of David Popkin dated September 7, 2011. The interrogatory is stated verbatim and followed by the response.

The response was as follows:

DBP/USPS-72

Please refer to your response to Interrogatory NLP/USPS-1 subpart [e]. Please provide similar data for the other 48 states and the US possessions/territories.

RESPONSE

The rolling 52 weeks of earned hours and revenue for all Cost Ascertainment Group A-E and Level 11 offices outside of Delaware and Maine is provided in USPS Library Reference N2011-1/NP20.

It should be noted that the Postal Service provided the walk-in revenue for the facilities listed in their response to Interrogatory NLP/USPS-1 subpart [e]. I made a request for **similar** data for the rest of the country. If it was public enough to provide for Delaware and Maine, it should be public enough for the rest of the country. It should also be noted that at no point has the Postal Service made any effort to correct their response to Interrogatory NLP/USPS-1 subpart [e]. Furthermore, the Postal Service has not provided me with any explanation as to why Delaware and Maine could be disclosed

and the rest of the country could not be disclosed. As such, I cannot oppose their unstated action.

Since these offices are the smaller offices, it is hard to believe that disclosure of their revenue will lead to competitors rushing in to take over the business. Furthermore, most of the revenue is probably from Market Dominant products which do not lend themselves to competition.

Therefore I move to compel the Postal Service to respond to my Interrogatory DBP/USPS-72 as asked and without the utilization of placing material under seal.

I also note that they have failed to provide an explanation as to why their response to my Interrogatory was filed thirty-three days late.